

**GREENBERG TRAURIG, LLP**

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*Attorneys for Plaintiffs-Appellants*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CONCORD ASSOCIATES, L.P., CONCORD	:
RACEWAY CORPORATION, CONCORD	:
KIAMESHA CASINO LLC, CONCORD	:
KIAMESHA CAPITAL CORP., CONCORD	:
RESORT, LLC, CONCORD KIAMESHA, LLC,	:
and CONCORD KIAMESHA HOTEL, LLC	:
	: <b>NOTICE OF APPEAL</b>
	:
Plaintiffs,	:
	:
-against-	:
	:
ENTERTAINMENT PROPERTIES TRUST, EPT	:
CONCORD, LLC, EPT CONCORD II, LLC,	:
EMPIRE RESORTS, INC., MONTICELLO	:
RACEWAY MANAGEMENT, INC., KIEN	:
HUAT REALTY III LIMITED, GENTING NEW	:
YORK LLC, and JOHN DOES 1 TO 5,	:
	:
Defendants.	:
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NOTICE IS HEREBY GIVEN THAT all Plaintiffs (Concord Associates, L.P.; Concord Raceway Corporation; Concord Kiamesha Casino LLC; Concord Kiamesha Capital Corp.; Concord Resort, LLC; Concord Kiamesha, LLC; and Concord Kiamesha Hotel, LLC) hereby appeal to the United States Court of Appeals for the Second Circuit from the judgment entered

on this action on September 19, 2013, and the Court's preceding Opinion and Order of September 18, 2013, dismissing with prejudice the Amended Complaint (Dkt. Nos. 69 and 70).

Dated: October 18, 2013

GREENBERG TRAURIG, LLP

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